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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/759,337
		Filing Date	January 16, 2004
		First Named Inventor	George TIDMARSH
		Art Unit	1614
		Examiner Name	R. Henley III
Total Number of Pages in This Submission	14 + 44 Refs.	Attorney Docket Number	544922000100

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO-1449 + copy (10 pages) 2. 44 References 3. Return Postcard
<div>Remarks</div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Carol M. Gruppi - 37,341
Signature	
Date	November 3, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV336621526US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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PATENT  
Docket No. 544922000100

Dated: November 3, 2004

Signature:

  
(Tia B. Zimmerman)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
George TIDMARSH

Serial No.: 10/759,337

Filing Date: January 16, 2004

For: TREATMENT OF BENIGN PROSTATIC  
HYPERPLASIA

Examiner: R. Henley III

Group Art Unit: 1614

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

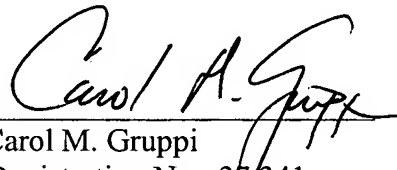
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling;  
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **544922000100**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 3, 2004

Respectfully submitted,

By   
Carol M. Gruppi  
Registration No.: 37,341

MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304  
(650) 813-5777

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 5

## Complete if Known

Application Number	10/759,337
Filing Date	January 16, 2004
First Named Inventor	George TIDMARSH
Art Unit	1614
Examiner Name	R. Henley III
Attorney Docket Number	544922000100

## U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	1	6,319,517	08-27-1998	Cavallo <i>et al.</i>	
	2	6,337,087	08-27-1998	Cavallo <i>et al.</i>	
	3	5,260,327	08-04-1992	Kim <i>et al.</i>	
	4	4,684,627	08-13-1984	Leveen <i>et al.</i>	
	5	4,840,939	03-18-1987	Leveen <i>et al.</i>	
	6	6,001,865	05-04-1999	Silvestrini <i>et al.</i>	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
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				Art Unit	1614
				Examiner Name	R. Henley III
Sheet	2	of	5	Attorney Docket Number	544922000100

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	7	BELZACQ <i>et al.</i> , Oncogene, 2001, 7579-87, 20.	
	8	BELZACQ <i>et al.</i> , Biochimie, 2002, 167-76, 84.	
	9	BERRUTI <i>et al.</i> , J. Clin. Oncol., 2002, 4150-9, 20(20)	
	10	BESNER <i>et al.</i> , Oncology, 1984, 48-52, 41(supp. 1)	
	11	BESNER <i>et al.</i> , Drug Metabolism Rev., 1997, 219-234, 29(1&2).	
	12	BUNN, J. Clin. Onc., 2002, 23-33, 20(18).	
	13	CALABRESI <i>et al.</i> , Sem. Onc., 1991, 66-72, 18(2).	
	14	CIONINI, Sem. Onc., 1991, 49-52, 18(2) Suppl. 4.	
	15	COMELLA <i>et al.</i> , J. Clin. Onc., 1999, 1526-34, 17(5).	
	16	CORSI <i>et al.</i> , J. Med. Chem., 1976, 778-783, 19(6).	
	17	COSTELLO & FRANKLIN, Oncology, 2000, 269-282, 59.	
	18	COSTELLO <i>et al.</i> , J. Inorg. Biochem., 2000, 161-165, 78.	

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				First Named Inventor	George TIDMARSH
				Art Unit	1614
				Examiner Name	R. Henley III
Sheet	3	of	5	Attorney Docket Number	544922000100

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	19	CUNA <i>et al.</i> , Apr., Sem. Onc., 1991, 18-22, 18 (2 supp. 4)		
	20	DE LENA <i>et al.</i> , Eur. J. Can., 2001, 364-8, 37.		
	21	DE LENA <i>et al.</i> , J. Clin. Onc., 1997, 3208-13, 15(10).		
	22	FLORIDI <i>et al.</i> , Arch. Biochem. Biophys., 1983, 73-83, 226(1).		
	23	FLORIDI <i>et al.</i> , Can. Res., Nov., 1981, 4661-6, 41.		
	24	GATZEMEIER <i>et al.</i> , Sem. Onc., 1991, 42-8, 18(2) Suppl. 4.		
	25	GRIMA <i>et al.</i> , Biol. Reprod., 2001, 1500-8, 64.		
	26	HEYWOOD <i>et al.</i> , Chemotherapy, 1981, 91-97, 27 (Suppl. 2).		
	27	IANNIELLO <i>et al.</i> , 1996, Cancer, 63-9, 78(1).		
	28	LOBL <i>et al.</i> , Chemotherapy, 1981, 61-76, 27 (Suppl. 2).		
	29	MANSI <i>et al.</i> , Br. J. Cancer, 1991, 593-7, 64.		

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	30	MUNTZING <i>et al.</i> , J. Med. Primatol., 1975, 245-251, 4.	
	31	ORLANDI <i>et al.</i> , Int. J. Can., 1998, 377-84, 78.	
	32	ORLANDI <i>et al.</i> , Anticancer Res., 1994, 1161-4, 14.	
	33	PACINI <i>et al.</i> , Eur. J. Cancer, 2000, 966-75, 36.	
	34	PAGGI <i>et al.</i> , Ann. NY Acad. Sci., 1988, 358-60, 551.	
	35	PORTALONE <i>et al.</i> , Tumori, 1999, 239-42, 85.	
	36	POSSINGER <i>et al.</i> , Sem. Onc., 1991, 58-61, 18(2) Suppl. 4.	
	37	PRICE <i>et al.</i> , Cancer Chemother. Pharmacol., 1996, 129-135, 38.	
	38	PRIVITERA <i>et al.</i> , Radiother. Onc., 1987, 285-90, 10.	
	39	RAVAGNAN <i>et al.</i> , Oncogene, 1999, 2537-46, 18.	
	40	ROSSO <i>et al.</i> , Sem. Onc., 1991, 62-5, 18(2) Suppl. 4.	

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	41	ROTIN <i>et al.</i> , Int. J. Radiation Oncolgy Biol. Phys., 1984, 1595-8, 10.	
	42	SAVINI <i>et al.</i> , Breast. Can. Res. Treat., 1992, 27-34, 24.	
	43	SCARANTINO <i>et al.</i> , Sem. Onc., 1991, 28-32, 18(2) Suppl. 4.	
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	45	SILVESTRINI, Sem. Onc., 1991, 2-6, 18(2) Suppl. 4.	
	46	SEGRE <i>et al.</i> , Chemotherapy, 1981, 77-84, 27 (Suppl. 2).	
	47	TEICHER <i>et al.</i> , Sem. Onc., 1991, 7-10, 18(2) Suppl. 4.	
	48	TEICHER <i>et al.</i> , Eur. J. Cancer, 1994, 1411-3, 30A(10)	
	49	VIEIRA <i>et al.</i> , Cell Death and Differentiation, 2000, 1146-1154, 7.	
	50	ZANIBONI <i>et al.</i> , Tumori, 1995, 435-7, 81.	

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